

# BOARD OF ZONING APPEALS

## CITY OF MILWAUKEE

REGULAR MEETING – February 20, 2003  
City Hall, Common Council Committee Room 301-B

### *MINUTES*

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PRESENT:

**Chairman:** Craig H. Zetley (*voting on items 1-76* )

**Members:** Scott R. Winkler (*voting on items 1-76* )  
Roy B. Nabors (*voting on items 1-76* )

**Alt. Board Members:** Georgia M. Cameron (*voting on items 1-76* )  
Donald Jackson (*voting on items 1-76* )

START TIME: 4:10 p.m.

End Time: 10:55 p.m.

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<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	24635 Special Use	Dayetta Bey-Nze, Lessee  Request to occupy the premises as a day care center for 60 children ages newborn-12yrs, Monday-Friday 6:00am-12:00am, Saturday 8:00am-3:00pm.	5148 N. Teutonia Av. 1st Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
2	24573 Appeal of an Order	Richard B. Mitchell, Property Owner  Request to appeal an order of the Department of Neighborhood Services determining the occupancy to be a tavern.	3056-58 N. Maryland Av. 3rd Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the applicant and will be rescheduled at the next available hearing.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
3	24648 Special Use	Latasha Jackson, Prospective Buyer  Request to occupy the premises as a day care center for 30 children ages 6wks-12yrs, Monday-Friday 6:00am-12:00am.	7809-11 W. Burleigh St. 5th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	24714 Special Use	Joseph Fix, Property Owner  Request to occupy the premises as a motor vehicle repair facility.	631 E. Center St. 6th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
5	24355 Special Use	Mandeep Dhawan, Satwant Singih Kaleka;Prospective Buyer  Request to occupy the premise as a motor vehicle pumping station with a convenience store and car wash.	5505 W. Lisbon Av. 7th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
6	24603 Appeal of an Order	American Security Inv., LLC. Property Owner  Request to appeal an order of the Department of Neighborhood Services determining the occupancy to be a motor vehicle outdoor storage facility.	6515 N. 40th St. 9th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Scott Winkler.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
7	24455 Special Use	Lekecia Lovett, Lessee  Request to occupy the premises as a day care center for 65 children, 6wks-12yrs, Monday-Friday 6:00am-6:00pm.	6025 N. 62nd St. 9th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
8	24709 Special Use	Mequel Rea, Property Owner  Request to occupy the premises as a motor vehicle repair facility.	701 S. Cesar E. Chavez Dr. A/K/A 709 & 715 S. Cesar E. Chavez Dr. 12th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
9	24710 Special Use	Richard C. Tulke Jr., RKT Services Lessee  Request to occupy a portion of the premises as a motor vehicle and truck repair facility.	4400H S. 13th St. A/K/A 4400 S. 13th St. 13th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
10	24746 Use Variance	NIDC, Mike Morgan  Request to split the parcel in two and construct a single family residential dwelling.	1300 N. 40th St. 16th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
11	24747 Use Variance	NIDC, Mike Morgan  Request to construct a single family residential dwelling.	1301 N. 38th St. A/K/A 1301-07 N. 38th St. 16th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
12	24748 Use Variance	NIDC, Mike Morgan  Request to split the parcel in two and construct a single family residential dwelling.	1308 N. 40th St. A/K/A 1300 N 40th St. 16th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
13	24738 Extension of Time	Nancy L. Kohl, Prospective Buyer  Request for an extension of time to comply with the conditions of Case No. 23844.	8215 N. 107th St. 15th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the extension of time request. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
14	24704 Special Use	Darryl E. Lewis, Lessee  Request to occupy the premises as a motor vehicle repair, towing, and car wash facility.	3041 W. North Av. 17th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	24707 Special Use	Harbhajan Singh Isha Enterprises Inc.;Property Owner  Request to continue occupying the premises as a motor vehicle pumping station and convenience store.	4001 N. 60th St. 2nd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That there is no outdoor storage or display of products or merchandise.  5. That there is no outdoor display of banners or other advertising except those which are approved by permit and on the site plan.  6. That landscaping and screening is maintained in a manner that meets the intent of city code.  7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	
16	24751 Dimensional Variance	Greg & Laura Pfaff, Property Owner  Request to construct an attached garage without the required rear setback.	2943 N. Lake Dr. 3rd Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	24749 Special Use	Milwaukee Mini Donut Company Lessee  Request to occupy the premises as a drive-through coffee sales facility.	1801 E. Kenilworth Pl. A/K/A 1801 E. North Ave. 3rd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the first parking space south of the building is permanently eliminated to provide unobstructed access to the building.</li> <li>5. That the entrance door is reconfigured to comply with ADA accessibility requirements.</li> <li>6. That signage must meet the signage standards of s.295-407 of the Milwaukee Zoning Code.</li> <li>7. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	
18	24728 Special Use	Jill F. Seebantz, Lessee  Request to occupy the premises as a personal service facility (message therapy).	1234 N. Prospect Av. 4th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

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19	24733 Special Use	Thanks A-Lot, LLC, Property Owner  Request to continue occupying the premises as a surface parking lot.	843-63 N. Plankinton Av. 4th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner shall maintain landscaping and screening in accordance with plans as approved by the Department of City Development.</p> <p>5. That all prior conditions of the Board regarding this property are complied with.</p> <p>6. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</p>	
20	24743 Special Use	Jeffrey & Laurie Bausch Property Owner  Request to continue occupying the premises as a day care center for 70 children, ages 6 wks. to 11 yrs., from 5:30 a.m. to 6:00 p.m.	8028 W. Capitol Dr. 5th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	24754 Use Variance	Gert Grohmann, Lessee  Request to occupy the premises as a general retail establishment(scuba store).	101 W. Capitol Dr. A/K/A 101-03 W. Capitol Dr. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the storefront windows remain as clear glass and are maintained in an attractive manner.</p> <p>5. That this Variance is granted for a period of five (5) years, commencing with the date hereof.</p>	
22	24701 Special Use	Al Darakhani, Property Owner  Request to occupy a portion of the premises as an indoor storage facility.	3919 N. Martin Luther King Dr. 6th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	



<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	24726 Special Use	Trent J. Hanson, Time Hawk, Inc.; Lessee  Request to continue occupying the premises as a secondhand furniture & household goods sales facility on the 2nd floor.	731 E. Center St. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	
24	24699 Special Use	Janice Schmitt, Property Owner  Request to continue occupying the premises as a day care center for 39 children ages 4wks-10yrs, Monday-Friday 6:30am-5:30 pm.	2972-74 N. 49th St. 7th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	24720 Special Use	Steven L. Warren, New Horizons Word of Faith Church; Lessee  Request to occupy the premises as a religious assembly facility (church).	4514 W. Burleigh St. A/K/A 4508-14 W. Burleigh St. 7th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the applicant obtains a certificate of occupancy and complies with all State commercial code requirements for places of assembly.</li> <li>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	24755 Special Use	Ahmad Zraik, Prospective Buyer  Request to occupy the premises as a general retail establishment (grocery store).	2910 W. Fond Du Lac Av. 7th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the proposed illuminated canopy signs are not utilized, and that a revised sign plan is submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group that is consistent with the sign requirements of an LB2 zoning district per s295-407 of the city's zoning code</p> <p>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel.</p> <p>6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</p> <p>7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	24721 Special Use	Gordon Smith Royal Car Care Inc.; Property Owner  Request to construct a motor vehicle repair facility to the existing car wash facility (the pumping station and convenience store will be eliminated).	2012 W. Oklahoma Av. A/K/A 2006-18 W. Oklahoma Ave. 8th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That there is no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris.</li> <li>5. That there is no display of exterior banners or other advertising except those which are approved by permit and on the site plan.</li> <li>6. That the wide driveway on West Oklahoma Avenue be converted to two separate driveways, each being no wider than 30 feet in width.</li> <li>7. That no work or storage of materials occurs in the public right of way.</li> <li>8. That landscaping and screening plans are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group which meet the intent of city code prior to the issuance of any permits.</li> <li>9. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>10. That no disabled or unlicensed vehicles or parts are stored outside.</li> <li>11. That all work is conducted inside of the building.</li> <li>12. That revised signage plans are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</li> <li>13. That a revised site plan is submitted which does not include the easternmost of the 3 driveway proposed for W. Oklahoma Ave.</li> <li>14. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	24767 Special Use	Aida Figuena Fuentes, Lessee  Request to expand the number of children from 20 to 30 of the existing day care center for ages 4wks-12yrs, Monday-Friday 7:00am-6:00pm.	1732 S. Muskego Av. 8th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	
29	24744 Special Use	Rev. Floyd Taylor Macedonia Baptist Church; Property Owner  Request to occupy the premises as a religious assembly facility.	7245 N. Teutonia Av. A/K/A 7265 N. Teutonia Ave. 9th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	
30	24761 Special Use	Thomas McNeal Prospective Buyer  Request to occupy the premises as a tavern, restaurant and assembly hall(banquet hall).	6263 N. Teutonia Av. 9th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
31	24770 Special Use	David Cunningham, Bay Development LLC; Property Owner  Request to construct an indoor storage facility in excess of 3,600 sq. ft.	6045 N. Teutonia Av. A/K/A 6001-6039 N. Teutonia Ave. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the applicant obtains a certificate of occupancy and complies with all State commercial code requirements for institutional and educational occupancies.</p> <p>5. That landscaping and screening plans which meet the requirements of s.295-405 of the City Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>6. That site illumination must be controlled to meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</p> <p>7. That any signage associated with the storage facility must conform to the sign standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>8. That no disabled or unlicensed vehicles or parts are stored outside.</p> <p>9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	24712 Special Use	Ruthie L. Jines, Lessee  Request to occupy the premises as a day care center for 60 children ages 2 1/2 yrs - 12 yrs, Monday-Friday 6:00am-12:00am.	2809 N. Teutonia Av. A/K/A 2803 N. Teutonia Ave. 10th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the applicant obtains an occupancy certificate and complies with all State commercial code requirements for educational and institutional occupancies.</p> <p>5. That a loading zone is obtained on West Hadley Street adjacent to the site.</p> <p>6. That the storefront windows remain as clear glass and are maintained in an attractive manner.</p> <p>7. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</p> <p>8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	24750 Dimensional Variance	Callie L. Kates, Property Owner  Request to construct a 10 ft x 14 ft breezeway to connect the house and garage.	3141 N. 13th St. 10th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	
34	24737 Special Use	Ed Mundwiler, United Rentals; Lessee  Request to occupy the premises as a facility for the processing of mixed materials.	5757 N. Lovers Lane Rd. 15th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all previous Board conditions regarding this site are complied with.</li> <li>5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on August 3, 2009.</li> </ol>	



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35	24769 Dimensional Variance	Keith Batchelor, Property Owner  Request to construct an addition to the existing detached garage.	8230 N. 106th St. 15th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	
36	24759 Special Use	Alexian Village, Alexian Elderly Services Inc.; Property Owner  Request to occupy the premises as an assembly hall.	9225 N. 76th St. 15th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-605 of the Milwaukee Zoning Code.</li> <li>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	24656 Use Variance	Janine James, M.D., Lessee  Request to occupy the premises as an medical office.	4038 N. 39th St. 1st Dist.
	Action:	Denied	
	Motion:	Roy Nabors moved to approve the appeal. Seconded by Catherine Doyle. Scott Winkler, Craig Zetley, and Donald Jackson voted against the motion.	
	Vote:	2 Ayes, 3 Nays, 0 Abstained.	
39	24632 Special Use	Noah's Ark Preparatory School Clara M. Wright; Lessee  Request to occupy the premises as a day care center (preschool) for 50 children, ages 2 and 3, Monday-Friday, 6 AM to 11:30 PM.	2214 N. Martin L. King Jr. Dr. A/K/A 2200-2218 N. Martin L. King Jr. Dr. 6th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the applicant obtains a certificate of occupancy by submitting plans prepared by a Wisconsin registered architect and complies with all State commercial building codes for institutional and educational occupancies.</li> <li>5. That signage conforms to the sign standards of s. 295-605-5 of the City Code.</li> <li>6. That revised play area plans are submitted to the Board of Zoning Appeals and are approved by the Zoning Administration Group prior to the issuance of any permits. The play area is to be separated from the parking area / vehicle operating area by some type of physical barrier such as bollards.</li> <li>7. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>8. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
40	24646 Use Variance	Horizons Inc., Property Owner  Request to occupy the premises as a social service facility.	1863 N. 25th St. 17th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Roy Nabors. Criag Zetley and Donald Jackson voted against the motion.	
	Vote:	3 Ayes, 2 Nays, Abstained.	
41	24507 Special Use	Bessie Carter, Property Owner  Request for a rehearing request to occupy the premises as a day care facility with revised hours (8am - 12 am), for 8 children, newborn-12yrs, Monday-Sunday.	1961 W. Purdue 1st Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That there are no signs or banners on the premises.</li> <li>5. That the out-door play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6. That there is no signage associated with the family day care center.</li> <li>7. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	24718 Special Use	<p>Ella Flippin, Property Owner</p> <p>Request to expand the hours of operation of the existing day care center to 24 hrs (formally 6a.m. to 12 a.m.), and continue to have 80 children, 6 mo-12yrs of on site, Monday-Friday (A maximum of 30 to be on site between the hours of 11:30 p.m. and 7 a.m.).</p> <p>Action: Granted</p> <p>Motion: Roy Nabors moved to grant the appeal. Seconded by Georgia Cameron.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the applicant obtains a new certificate of occupancy for the entire building so that DNS can determine if there are additional code issues for the increased number of children.</li> <li>5. That the play area is not utilized after 8:00 P.M.</li> <li>6. That landscape and screening plans meeting the intent of city code are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</li> <li>7. That all previous conditions of the Board regarding this premises are complied with</li> <li>8. That this Special Use is granted for a period of time commencing with the date hereof and expiring on February 12, 2011.</li> </ol>	6333 W. Burleigh St. 2nd Dist.
43	24723 Special Use	<p>Darry Tucker, Lessee</p> <p>Request to occupy the premises as a religious assembly facility and a social service facility.</p> <p>Action: Adjourned</p> <p>Motion: This item was adjourned at the request of the 2nd Ald. district and will be rescheduled at the next available hearing.</p>	6114 W. Capitol Dr. 2nd Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	24559 Special Use	James Smith, Property Owner  Request to occupy the premises as a temporary (3 yrs.) concrete crushing facility (limestone).	7240 W. Douglas Av. 2nd Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the DCD and will be rescheduled upon receipt of information from the city attorney's office regarding this matter.	
45	24628 Special Use	Bobbie Lewis, Property Owner  Request to occupy the premises as a 24 hr day care facility for 8 children ages 12wks-12yrs, Monday-Sunday.	6710 W. Courtland Av. 2nd Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to approve the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 1 Nays, 0 Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That the outdoor play area is not utilized before 9:00 a.m. or after 8 p.m.  5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.	
46	24562 Special Use	Wilma Collins, Property Owner  Request to occupy the premises as a day care facility 8 children ages 6wks-12yrs, Monday-Friday 6:00am-6:00pm.	4424 N. 68th St. 2nd Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
47	24655 Dimensional Variance	Ken Weske, Property Owner  Request to construct an attached garage to the existing single-family dwelling without the required setbacks.	1608 N. Astor St. 3rd Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Second by Georgia Cameron.	
	Vote:	4 Ayes, 1 Nays, Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That these Variances are granted to run with the land.</li> </ol>	
48	24777 Special Use	Kenneth A. McAteer Milwaukee School of Engineering; Prospective Buyer  Request to construct a recreation facility.	1251 N. Broadway A/K/A 1224 N. Market St. 4th Dist.
	Action:	Granted 20 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the applicant apply for Special Privilege and Air Space Lease for the building features that encroach into the public right of way.</li> <li>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>6. That signage must meet the signage standards of s.295-407 of the Milwaukee Zoning Code.</li> <li>7. That this Special Use is granted for a period of twenty (20) years, commencing with the date hereof.</li> </ol>	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
49	24660 Special Use	Mr. John Magnusson,A.Eisenberg, Thomas G. Wohlers, Lessee  Request to occupy a portion of the premises as an adult retail establishment.	312 W. Juneau Av. A/K/A 300-18 W. Juneau Ave. 4th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the Chair and will be rescheduled upon receipt of requested information from the applicant.	
50	24698 Special Use	Tammie Anderson Little Tyke Academy II; Lessee  Request to occupy the premises as a 24 hr. day care center for 90 children ages 6wks-12yrs, Monday-Sunday.	8745-53 W. Fond Du Lac Av. A/K/A 8721 W. Fond Du Lac Ave. 5th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned at the request of the alderman and will be rescheduled at the next available agenda.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
51	24713 Special Use	Ark of Safety Daycare, Property Owner  Request to occupy the premises as a 24 hr day care center for 76 children ages 4wks-12yrs, Monday-Sunday.	8057 W. Appleton Av. 5th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the applicant obtains a certificate of occupancy and complies with all State commercial code requirements for educational and institutional occupancies.</li> <li>5. That the two unused driveways on West Potomac Avenue be closed and restored with curb and gutter.</li> <li>6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>7. That the petitioner take all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel.</li> <li>8. That all drop off and pick up of children on third shift be performed by the petitioner.</li> <li>9. That the petitioner provide a 24 hour contact phone number to the Alderman, Board office and to any concerned neighboring resident that request it.</li> <li>10. That the petitioner encourage parents to use the loading zone in front of the premises.</li> <li>11. That the petitioner encourage parents to use the on site parking area.</li> <li>12. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	



<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	24354 Appeal of an Order	Raymond L. Verbanac, Property Owner  Request to appeal an order of the Department of Neighborhood Services determining the occupancy to be a junkyard.	8905 W. Villard Av. 5th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to uphold the order. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
53	24666 Use Variance	Paul M. Scholl, Property Owner  Request to continue occupying the premises as a dental office (with one dentist).	9211 W. Auer Av. 5th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That no employees park on Auer Ave.</li> <li>5. That the petitioner take all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel.</li> <li>6. That this Variance is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	24527 Appeal of an Order	James H. & Laura Stamm, Property Owner  Request to appeal an order of the Department of Neighborhood Services determining the occupancy to be a transitional living facility.	4050-52 N. 91st St. 5th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
55	24736 Special Use	Sheron Rembert, Lessee  Request to occupy the rear portion of the premises as a day care facility for 5 children ages 6wk-12yrs, Monday-Friday 6:00am-5:30pm.	2422 N. 2nd St. 6th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
56	24679 Special Use	Eloise Perry, Property Owner  Request to extend the hours of operation from 6:00am-6:00pm to 24hrs Monday-Friday for the existing day care center for 19 children ages 6wks-12yrs.	4322 W. Center St. A/K/A 2702 N. 44th St. 7th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the applicant complies with the order from the Department of Neighborhood Services to remove the unused driveways on west Center Street and on north 44th Street and restore with curb and gutter by June 30, 2003.</li> <li>5. That the unused driveway on West Center Street is closed and restored with curb and gutter.</li> <li>6. That the unused driveway on North 44th Street is closed and restored with curb and gutter.</li> <li>7. That a loading zone is obtained on West Center Street.</li> <li>8. That the outdoor play area is not utilized after 8:00 P.M.</li> <li>9. That any prior conditions of the Board regarding this premises are complied with.</li> <li>10. That this Special Use is granted for a period of time commencing with the date hereof and expiring on September 13, 2011.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	24215 Special Use	John Nelson Sims, Property Owner  Request to continue occupying the premise as a motor vehicle repair center.	2419 W. Fond Du Lac Av. 7th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all vehicles will enter and exit the site via W. Fond Du Lac Ave.</li> <li>5. That the plan of operation submitted by the petitioner on January 31, 2002 is complied with.</li> <li>6. that signage must meet the signage standards of s.295-407 of the Milwaukee Zoning Code.</li> <li>7. That no disabled or unlicensed vehicles or parts are stored outside.</li> <li>8. That all repair work is conducted inside of the building.</li> <li>9. That landscaping and screening plans must be submitted to meet the intent of s.295-405 of the Milwaukee Zoning Code.</li> <li>10. That the house on the premises is retained per the site plan submitted on January 31, 2002.</li> <li>11. That no vehicles associated with this use be parked in the alley.</li> <li>12. That only one work vehicle (truck) associated with this use can use the rear entrance.</li> <li>13. That the rear overhead door not be used for entry of vehicles.</li> <li>14. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
58	24719 Use Variance	Mark Von Hagke, Marsh Hill Antiques; Lessee  Request to occupy the premises as a antique store.	2045 W. St. Paul Av. 8th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That there is no outdoor storage or display of products or merchandise.  5. That there is no outdoor display of banners or other advertising except those which are approved by permit and on the site plan.  6. That this Variance is granted for a period of two (2) years, commencing with the date hereof.	
59	24658 Special Use	Alberto Valle, Property Owner  Request to include detailing and the installation of stereo equipment to the existing motor vehicle repair facility.	2059 S. Muskego Av. 8th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the applicants request and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
60	24670 Special Use	<p>Watler &amp; Belinda Curtain, Property Owner</p> <p>Request to expand the existing day care center to occupy the 1st &amp; 2nd floor of the premises for 49 children (up from 25) ages 6 wks. - 12 yrs, Monday-Friday 6 a.m. to 12 a.m.</p>	<p>4202 W. Silver Spring Dr. A/K/A 4202-4202A &amp; 4202B W. Silver Spring Dr. 9th Dist.</p>
	Action:	Granted	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the storefront windows remain as clear glass and are maintained in an attractive manner.</p> <p>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</p> <p>6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on September 13, 2011.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
61	24675 Use Variance	Inspired Kingdom Evangelistic Ministries Inc., Prospective Buyer  Request to occupy the premises as a religious assembly hall.	4001 W. Mill Rd. 9th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Georgia Cameron. Scott Winkler and Roy Nabors voted against the motion.	
	Vote:	3 Ayes, 2 Nays, Abstained.	
62	24711 Use Variance	Gwendolyn Kleckley, Lessee  Request to occupy the premises as a social service facility.	5668 N. 62nd St. 9th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the petitioner and will be rescheduled at the next available meeting.	
63	24752 Special Use	Herwig Rau, Huf North America; Optionee  Request to occupy the premises as a heavy manufacturing facility (die casting, plastic molding, tool building).	9020 W. Dean Rd. A/K/A 9000 W. Dean Rd. 9th Dist.
	Action:	Granted 20 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That this Special Use is granted for a period of twenty (20) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
64	24638 Use Variance	Will Allen, Property Owner  Request to occupy the premises as a specialty school (agricultural training).	5500 W. Silver Spring Dr. A/K/A 5500-5526 W. Silver Spring Dr. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That a landscape plan for the parking lot that meets the intent of city code section 295-405 for Type 'A' landscaping is submitted to and approved by the Department of City Development Permit Center prior to the issuance of any permits.</p> <p>5. That signage must meet the signage standards of s.295-407 of the Milwaukee Zoning Code.</p> <p>6. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</p>	



<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
65	24688 Special Use	Shirley Howard, Property Owner  Request to occupy the premises as an office and day care center for 19 children ages 4wks-12yrs, Monday-Friday 5:30 am - 9:00 pm.	4919 W. Good Hope Rd. 9th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening plans for the front parking lot are submitted which meet the intent of s.295-405 of the Milwaukee Zoning Code.</li> <li>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>6. That signage must meet the signage standards of s.295-407 of the Milwaukee Zoning Code.</li> <li>7. That the lower sign frame of the existing freestanding sign pole be removed if it is not utilized.</li> <li>8. That the applicant obtains an occupancy certificate and complies with all State commercial code requirements for educational and institutional occupancies.</li> <li>9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	
66	24727 Use Variance	Rose Patterson, Lessee  Request to occupy a portion of the premises as a religious assembly facility.	4919 W. Good Hope Rd. 9th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
67	24654 Special Use	Ignacio Rocha, Lessee  Request to occupy the premises as a car wash facility.	1801 W. Forest Home Av. 12th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That there is no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris.</p> <p>5. That there is no display of exterior banners or other advertising except that which is on the approved sign plan or in the plan of operation.</p> <p>6. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</p>	
68	24735 Other	Olympia II, LLC, Members John C. and Giannoula J. Karampelas;Property Owner  Request to appeal a condition of approval from case No. 24375.	530 W. Layton Av. 13th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 1 Nays, 0 Abstained.	
69	24663 Use Variance	Demetrius Dailey, Property Owner  Request to park a commercial vehicle on a residential lot.	9132 N. 95th St. A/K/A 9132-34 N. 95th St. 15th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the applicant and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
70	24683 Use Variance	AGA Gas, Inc., Lessee  Request to occupy a portion of the premises as a storage facility for hazardous materials.	11927 W. Silver Spring Dr. 15th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
71	24697 Special Use	Gracie Vinson, Lessee  Request to occupy the premises as a day care center for 30 children ages 6wks-12yrs, Monday-Friday 7:00am-11:00pm and Saturday 8:30am-6:00pm.	5519 W. North Av. A/K/A 5517-19 W. North Ave. 16th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
72	24725 Special Use	Janel Garrison/ Janice Jones, Lessee  Request to occupy the premises as a day care center for 40 children, 6 wks. - 12 yrs. of age, from 6 a.m. to 12 a.m.	5717 W. North Av. A/K/A 5713-17 W. North Ave. 16th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
73	24482 Special Use	Payday Loan of Wisconsin, Inc. Prospective Buyer  Request to occupy the premises as a payday loan agency.	11414 W. Silver Spring Dr. 15th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
74	24481 Special Use	Payday Loan of Wisconsin, Inc., Lessee  Request to occupy a portion of the premises as a payday loan agency.	6917 W. Brown Deer Rd. A/K/A 6801-6917 W. Brown Deer Rd. 9th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
75	24480 Special Use	Payday Loan Store of Wisconsin, Inc. Prospective Buyer  Request to occupy the premises as a payday loan agency.	4235 W. Silver Spring Dr. 9th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
76	24271 Other	Cashland Check Cashing Corp.  Request to appeal a determination of the department of Neighborhood Services determining the check cashing machines located on the premises to be accessory use to the primary function of tax return preparation.	1842 S. 15th St. A/K/A 1201 N. 35 & 5209 W. Fond Du Lac Ave 12th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to uphold the determination. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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**Other Business:**

Board member Winkler moved to approve the minutes of the January 23, 2003 meeting. Seconded by Board member Jackson. Unanimously approved.

The Board set the next meeting for March 13, 2003.

Board member Winkler moved to adjourn the meeting at 10:55 p.m.. Seconded by Board member Jackson. Unanimously approved.

**BOARD OF ZONING APPEALS**

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Secretary of the Board

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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